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DINSMORE & SHOHL, LLP 1900 CHEMED CENTER 255 EAST FIFTH STREET CINCINNATI, OH 45202			TRUONG, CAM Y T	
			ART UNIT	PAPER NUMBER
			2162	

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/829,863	MINDRUM, G. SCOTT
	Examiner	Art Unit
	Cam Y T. Truong	2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 01 July 2005.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 21-26 and 28-43 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 21-26 and 28-43 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>7/1/05</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

1. Claims 21-26, 28-43 are pending in this Office Action.

Applicant's arguments with respect to claims 21-26, 28-42 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argued that it is not clear that Legacy constitutes prior art. There is no indication, as to which portions of Legacy constituted prior art as of the claimed copyright date of 1999.

In response to applicant's argument, each page of Legacy at bottom indicates copyright 1999. Thus, all of portions of Legacy are provided on pages 1-4 that are constituted prior art as of the claimed copyright 1999.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 21 and 43 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As regarding to claim 21, the word "may" in page 2, line 11 renders the claim vague and indefinite since the scope of the claim is uncertain.

As regarding to claim 43, the word "may" in page 5, line 22 renders the claim vague and indefinite since the scope of the claim is uncertain.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 21-26, 28-35 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable Manross, Jr (US 6414663) over Legacy. Com, 1999 (or hereinafter "Legacy" and Peercy et al (or hereinafter "Peercy") (US 5960429).

As to claim 21, Manross teaches the claimed limitations:

"a concrete memorial for a deceased person, the concrete memorial comprising discernable information including the name of deceased person" as a headstone for a deceased person, the headstone includes the name of deceased person (fig. 2);
"a identifier on or near the concrete memorial for the deceased person" as last name as an identifier on the headstone for the deceased person (fig. 2).

Manross does not explicitly teach the claimed limitation "an on-line registry service accessible over the Internet, the on-line registry service comprising one or more web pages having information related to the deceased person; the identifier indicating to people visiting the concrete memorial that information related to the deceased person may be found on the on-line registry service".

Legacy teaches the claimed limitations:

“an on-line registry service accessible over the Internet” as memorial submission forms indicates an on-line registry service accessible over the Internet (page 3, lines 16-27);

“ the on-line registry service comprising one or more web pages having information related to the deceased person” as the Legacy service has one web page having information related to the deceased person (page 4).

Peercy teaches the claimed limitation “the identifier indicating to people visiting the tangible memorial that information related to the deceased person may be found on the on-line registry service” as a URL as a identifier indicates to people visiting a web page that contain pictures from the Mars Pathfinder (col. 2, lines 42-46).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Legacy’s teaching of memorial submission forms indicates an on-line registry service accessible over the Internet; the Legacy service has one web page having information related to the deceased person and Peercy’s teaching of a URL as a identifier indicates to people visiting a web page that contain pictures from the Mars Pathfinder to Manross’s system in order to allow users to visit a deceased person via Internet system conveniently and know history of deceased person quickly.

As to claims 22, Manross teaches the claimed limitation “wherein the tangible memorial is a headstone” as a headstone for John Kent. John Kent is a deceased person (fig. 2).

As to claim 23, Manross and Legacy disclose the claimed limitation subject except the claimed limitation "wherein the identifier is a string". Peercy teaches a string (fig. 2).

It would have been obvious to a person of an ordinary skill in the art the time the invention was made to apply Peercy's teaching of an URL is associated with a name to Manross and Legacy to users visiting each Forum that contains information related to users such as bibliographic data, article may be found on the on-line register service to allow users to visit the individual's life history or deceased persons easily.

As to claim 24, Manross, Legacy and Peercy disclose the claimed limitation subject matter in claim 23, Peercy further teaches the claimed limitation limitation "wherein the identifier is a URL" as URL (fig.2).

As to claim 25, Manross discloses the claimed limitation subject matter in claim 21, except the claimed limitation "the identifier is a seal". Peercy teaches accessing a web page uses a URL. Thus, a URL is represented as a seal (fig. 2, col. 2, lines 42-50).

As to claim 26, Manross and Legacy disclose the claimed limitation subject except the claimed limitation "the identifier is a mark". Peercy teaches a URL, which is a mark, is represented as the identifier (col. 7, lines 50-55).

As to claim 28, Manross teaches the claimed limitation "wherein the tangible memorial is positioned in a cemetery" as gravestone is positioned in a cemetery (fig. 2, col. 3, lines 15-45).

As to claim 29, Manross does not explicitly teach the claimed limitation "being further adapted for use with deceased animals". However, Manross teaches a headstone for John Kent that is name of deceased person (fig. 2).

It would have been obvious to a person of skill in the art at the time the invention was made to apply Manross's teaching of a headstone for John Kent that is name of deceased person in order to allow users to visit the individual's life history or deceased persons easily.

As to claim 30, Manross teaches the claimed limitation "information on a plurality of deceased persons" as (fig. 5).

As to claim 31, Manross and Legacy disclose the claimed limitation subject matter in claim 30, Legacy further teach the claimed limitation "wherein the on-line registry service can be searched based on at least part of the discernable information" as (page 1).

As to claim 32, Manross and Legacy disclose the claimed limitation subject matter in claim 30, Legacy further teach the claimed limitation "wherein the on-line registry service is operative to allow visitors to provide information related to a deceased person available on the on-line registry service" as (pages 1-4).

As to claim 33, Manross and Legacy disclose the claimed limitation subject matter in claim 21, Legacy further teach the claimed limitation "wherein the subscription service is a subscription service" as (pages 1-2).

As to claim 34, Manross and Legacy disclose the claimed limitation subject matter in claim 30, Legacy further teach the claimed limitation "wherein the subscription service is a periodic fee-based subscription" as fee-based subscription (page 3).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Legacy's teaching of fee-based subscription to Manross's system in order to maintain funeral services on Internet system.

As to claim 35, Manross and Legacy disclose the claimed limitation subject matter in claim 21, Legacy further teaches the claimed limitation "wherein the information on the one or more web pages comprises images and biographical data related to the deceased person" as (pages 1- 4).

As to claim 43, Manross teaches the claimed limitations:

"a concrete memorial for a deceased person, the concrete memorial comprising discernable information including the name of the deceased person" as (fig. 3);

"wherein the concrete memorial is positioned in a cemetery; seal on or near the concrete memorial for said deceased person" as (col. 3, lines 15-45).

Manross does not explicitly teach the claimed limitations:

"an on-line registry service accessible over the Internet, the on-line registry service comprising one or more web pages having images and biographical data related to a plurality of deceased persons; said plurality of deceased persons including said deceased person, wherein the on-line register service can be searched based on at least part of the discernable information; the seal indicating to people visiting the concrete memorial in the cemetery that information related to said deceased person may be found on the on-line registry service".

Legacy teaches the claimed limitations:

"an on-line registry service accessible over the Internet, the on-line registry service comprising one or more web pages having images and biographical data related to a plurality of deceased persons" as (pages 3-4);

"said plurality of deceased persons including said deceased person, wherein the on-line register service can be searched based on at least part of the discernable information" as (pages 1-4).

Peercy teaches the claimed limitation "the seal indicating to people visiting the concrete memorial in the cemetery that information related to said deceased person may be found on the on-line registry service" as a URL as a identifier indicates to

people visiting a web page that contain pictures from the Mars Pathfinder (col. 2, lines 42-46).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply Legacy's teaching of memorial submission forms indicates an on-line registry service accessible over the Internet; the Legacy service has one web page having information related to the deceased person and Peercy's teaching of a URL as a identifier indicates to people visiting a web page that contain pictures from the Mars Pathfinder to Manross's system in order to allow users to visit a deceased person via Internet system efficiently and know history of deceased person quickly.

6. Claims 21, 22, 28-37, 40-43 are rejected under 35 U.S.C. 103(a) as being unpatentable Manross, Jr (US 6414663) over Legacy. Com, 1999 (or hereinafter "Legacy".

As to claim 21, Manross teaches the claimed limitations:

"a concrete memorial for a deceased person, the concrete memorial comprising discernable information including the name of deceased person" as a headstone for a deceased person, the headstone includes the name of deceased person (fig. 2);

"a identifier on or near the concrete memorial for the deceased person" as last name as an identifier on the headstone for the deceased person (fig. 2).

Manross does not explicitly teach the claimed limitation "an on-line registry service accessible over the Internet, the on-line registry service comprising one or more

web pages having information related to the deceased person; the identifier indicating to people visiting the concrete memorial that information related to the deceased person may be found on the on-line registry service".

Legacy teaches the claimed limitations:

"an on-line registry service accessible over the Internet" as memorial submission forms indicates an on-line registry service accessible over the Internet (page 3, lines 16-27);

" the on-line registry service comprising one or more web pages having information related to the deceased person" as the Legacy service has one web page having information related to the deceased person (page 4).

"the identifier indicating to people visiting the tangible memorial that information related to the deceased person may be found on the on-line registry service" as the last name as a identifier indicating to people visiting the deceased person may be found on the on-line registry Legacy service (pages 1&4).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Legacy's teaching of memorial submission forms indicates an on-line registry service accessible over the Internet; the Legacy service has one web page having information related to the deceased person; the last name as a identifier indicating to people visiting the deceased person may be found on the on-line registry Legacy service to Manross's system in order to allow users to visit a deceased person via Internet system effiently and know history of deceased person quickly.

As to claims 22, Manross teaches the claimed limitation "wherein the tangible memorial is a headstone" as a headstone for John Kent. John Kent is a deceased person (fig. 2).

As to claim 28, Manross teaches the claimed limitation "wherein the tangible memorial is positioned in a cemetery" as gravestone is positioned in a cemetery (fig. 2, col. 3, lines 15-45).

As to claim 29, Manross does not explicitly teach the claimed limitation "being further adapted for use with deceased animals". However, Manross teaches a headstone for John Kent that is name of deceased person (fig. 2).

It would have been obvious to a person of skill in the art at the time the invention was made to apply Manross's teaching of a headstone for John Kent that is name of deceased person in order to allow users to visit the individual's life history or deceased persons easily.

As to claim 30, Manross teaches the claimed limitation "information on a plurality of deceased persons" as (fig. 5).

As to claim 31, Manross and Legacy disclose the claimed limitation subject matter in claim 30, Legacy further teach the claimed limitation "wherein the on-line

registry service can be searched based on at least part of the discernable information" as (page 1).

As to claim 32, Manross and Legacy disclose the claimed limitation subject matter in claim 30, Legacy further teach the claimed limitation "wherein the on-line registry service is operative to allow visitors to provide information related to a deceased person available on the on-line registry service" as (pages 1-4).

As to claim 33, Manross and Legacy disclose the claimed limitation subject matter in claim 21, Legacy further teach the claimed limitation "wherein the subscription service is a subscription service" as (pages 1-2).

As to claim 34, Manross and Legacy disclose the claimed limitation subject matter in claim 30, Legacy further teach the claimed limitation "wherein the subscription service is a periodic fee-based subscription" as fee-based subscription (page 3).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Legacy's teaching of fee-based subscription to Manross's system in order to maintain funeral services on Internet system.

As to claim 35, Manross and Legacy disclose the claimed limitation subject matter in claim 21, Legacy further teaches the claimed limitation "wherein the

information on the one or more web pages comprises images and biographical data related to the deceased person" as (pages 1- 4).

As to claims 36, Manross teaches a method for memorializing a deceased person, the deceased person having a physical memorial comprising at least the deceased person's name (fig. 3):

"visually indicating, on or near the physical memorial for the deceased person" as (fig. 3);

"storing the information relating to the deceased person on a computer system" as (figs. 1A-1B);

"retrieving the stored information relating to the deceased person" as (figs. 1A-1B);

"providing by the subscriber information relating to the deceased person" as displaying histories of deceased persons (figs. 3, 1A&1B).

Manross does not explicitly teach the claimed limitations:

"establishing a subscription for an on-line registry service with a subscriber, the subscription being associated with the deceased person; that the on-line registry service is associated with the deceased person; providing to one or more visitors access over the Internet to the on-line registry service; displaying to the visitor or the subscriber on one or more web pages at least a portion of the information relating to the deceased person".

Legacy teaches the claimed limitations:

"establishing a subscription for an on-line registry service with a subscriber, the subscription being associated with the deceased person" as establishing a payment for an on-line registry service with a subscriber, this payment is associated with the deceased person (page 3);

"that the on-line registry service is associated with the deceased person" as service is associated with deceased person (pages 1-4);

"providing to one or more visitors access over the Internet to the on-line registry service" as providing a user access over the Internet to the on-line registry service (page 3);

"displaying to the visitor or the subscriber on one or more web pages at least a portion of the information relating to the deceased person" as displaying name and picture of deceased person on a web page (fig. 4).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Legacy's teaching of establishing a payment for an on-line registry service with a subscriber, this payment is associated with the deceased person, service is associated with deceased person, providing a user access over the Internet to the on-line registry service system, displaying name and picture of deceased person on a web page in order to allow any user to access the history of deceased persons quickly via Internet system.

As to claim 37, Manross and Legacy disclose the claimed limitation subject matter in claim 30, Legacy further teach the claimed limitation "submitting by visitors information relating to the deceased person to the on-line registry service" as (page 4).

As to claim 40, Manross teaches the claimed limitation "positioning an identifier on or near the tangible memorial" as (fig. 3).

As to claim 41, Manross teaches the claimed limitation "performed sequentially" as (figs. 1A-1B).

As to claim 42, Manross teaches the claimed limitation "wherein the steps are performed sequential as listed" as (figs. 1A-1B).

As to claim 43, Manross teaches the claimed limitations:

"a concrete memorial for a deceased person, the concrete memorial comprising discernable information including the name of the deceased person" as (fig. 3);
"wherein the concrete memorial is positioned in a cemetery; seal on or near the concrete memorial for said deceased person" as (col. 3, lines 15-45).

Manross does not explicitly teach the claimed limitations:

"an on-line registry service accessible over the Internet, the on-line registry service comprising one or more web pages having images and biographical data related to a plurality of deceased persons; said plurality of deceased persons including said

deceased person, wherein the on-line register service can be searched based on at least part of the discernable information; the seal indicating to people visiting the concrete memorial in the cemetery that information related to said deceased person may be found on the on-line registry service".

Legacy teaches the claimed limitations:

"an on-line registry service accessible over the Internet, the on-line registry service comprising one or more web pages having images and biographical data related to a plurality of deceased persons" as (pages 3-4);

"said plurality of deceased persons including said deceased person, wherein the on-line register service can be searched based on at least part of the discernable information" as (pages 1-4).

"the seal indicating to people visiting the concrete memorial in the cemetery that information related to said deceased person may be found on the on-line registry service" as user name indicates the people visiting deceased person that may be found on the service (figs. 1&4).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Legacy's teaching of memorial submission forms indicates an on-line registry service accessible over the Internet; the Legacy service has one web page having information related to the deceased person; the last name as a identifier indicating to people visiting the deceased person may be found on the on-line registry Legacy service to Manross's system in order to allow users to visit a deceased person via Internet system conveniently know history of deceased person quickly.

7. Claims 23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable Manross, Jr (US 6414663) over Legacy. Com, 1999 (or hereinafter "Legacy" and Peercy et al (or hereinafter "Peercy") (US 5960429).

As to claim 23, Manross and Legacy disclose the claimed limitation subject except the claimed limitation "wherein the identifier is a string". Peercy teaches a string (fig. 2).

It would have been obvious to a person of an ordinary skill in the art the time the invention was made to apply Peercy's teaching of an URL is associated with a name to Manross and Legacy to users visiting each Forum that contains information related to users such as bibliographic data, article may be found on the on-line register service to allow users to visit the individual's life history or deceased persons easily.

As to claim 24, Manross, Legacy and Peercy disclose the claimed limitation subject matter in claim 23, Peercy further teaches the claimed limitation "wherein the identifier is a URL" as URL (fig.2).

As to claim 25, Manross discloses the claimed limitation subject matter in claim 21, except the claimed limitation "the identifier is a seal". Peercy teaches accessing a web page uses a URL. Thus, a URL is represented as a seal (fig. 2, col. 2, lines 42-50).

As to claim 26, Manross and Legacy disclose the claimed limitation subject except the claimed limitation "the identifier is a mark". Peercy teaches a URL, which is a mark, is represented as the identifier (col. 7, lines 50-55).

8. Claims 38 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Manross in view of Legacy. Com, 1999 (or hereinafter "Legacy and further in view of Bergh et al (or hereinafter "Bergh") (US 6112186).

As to claim 38, Manross and Legacy disclose the claimed limitation subject matter in claim 37, except the claimed limitation "the step of collecting a subscription fee at least one time from the subscriber". Bergh teaches that paying on a periodic basis indicates collecting a subscription fee at least one time from the subscriber (col. 32, lines 62-67; col. 33, lines 10).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Bergh's teaching of paying on a periodic basis to Legacy's system and Manross's system in order to save time for collecting a bill about registration for deceased persons from subscribers.

As to claim 39, Legacy and Manross disclose the claimed limitation subject matter in claim 37, except the claimed limitation "wherein a fee is collected on a periodic basis" as (col. 2, lines 60-65). Bergh teaches that paying on a periodic basis indicates

collecting a subscription fee at least one time from the subscriber (col. 32, lines 62-67; col. 33, lines 10).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Bergh's teaching of paying on a periodic basis to Legacy's system and Manross's system in order to save time for collecting a bill about registration for deceased persons from subscribers.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kappel (US 6144988).

Contact Information

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam Y T Truong whose telephone number is (571) 272-4042. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cam Truong

Cam-Y Truong
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Art Unit 2162
8/3/2005